

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES RASO, TRUSTEE  
of the MASSACHUSETTS BRICKLAYERS  
AND MASONS HEALTH AND WELFARE,  
PENSION AND ANNUITY FUNDS,

Plaintiff,

v.

DEPAOLI MOSAIC CO., INC., FINAMORA  
REALTY TRUST and WALTER F. MORGAN, JR.  
Individually and as President of  
DEPAOLI MOSAIC CO., INC.

Defendants.

C. A. No. 05-11380-RGS

**JOINT MOTION TO CONTINUE NOTICE OF SCHEDULING CONFERENCE**

A Scheduling Conference is scheduled in the above referenced matter for September 22, 2005 at 3:45 p.m. The parties jointly request that the Scheduling Conference be continued for not less than sixty days. The parties believe they are close to resolving the issues and ask that the Initial Status Conference be rescheduled for not less than 60 days and that the time for all the LR 16.1 filings be adjusted accordingly.

For the Plaintiff,  
Charles Raso, Trustee of  
Massachusetts Bricklayers and Masons  
Health, Welfare & Annuity Funds,  
By his Attorney,

For the Defendants,  
DEPAOLI MOSAIC CO., INC. et al.  
By their Attorney,

/s/ Michael A. Feinberg  
Michael A. Feinberg, BBO #161400  
Feinberg, Campbell & Zack, P.C.  
177 Milk Street  
Boston, MA 02109

/s/ William R. Moriarty  
William R. Moriarty, Esq.  
Sassoon & Cymrot  
84 State Street  
Boston, MA 02109

Dated: September 7, 2005